

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 311

## BY APPROPRIATIONS COMMITTEE

## AN ACT

APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN TRANSFERS BEING CONTINUOUSLY APPROPRIATED; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR AIRPORT DEVELOPMENT GRANTS; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE TOURISM AND PROMOTION FUND; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES OF TITLE XII AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING A SALARY REDUCTION; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Idaho Transportation Department the following amounts to be expended for the designated programs according to the designated expense classes from the listed funds for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. TRANSPORTATION SERVICES:					
A. ADMINISTRATION:					
FROM:					
State Highway (Dedicated) Fund	\$13,459,800	\$8,137,300	\$608,400		\$22,205,500
State Highway (Billing) Fund	22,700	191,800			214,500
State Highway (Federal) Fund	<u>417,700</u>	<u>105,200</u>	<u>        </u>		<u>522,900</u>
TOTAL	\$13,900,200	\$8,434,300	\$608,400		\$22,942,900
B. CAPITAL FACILITIES:					
FROM:					
State Aeronautics (Dedicated) Fund			\$50,000		\$50,000
State Highway (Dedicated) Fund			<u>2,800,000</u>		<u>2,800,000</u>
TOTAL			\$2,850,000		\$2,850,000

		FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
6	C. AERONAUTICS:					
7	FROM:					
8	State Aeronautics (Dedicated)					
9	Fund	\$817,700	\$544,300	\$54,400	\$961,000	\$2,377,400
10	State Aeronautics (Billing) Fund	74,700	125,400			200,100
11	State Aeronautics (Federal) Fund	<u>32,500</u>	<u>432,700</u>	<u>      </u>	<u>294,900</u>	<u>760,100</u>
12	TOTAL	\$924,900	\$1,102,400	\$54,400	\$1,255,900	\$3,337,600
13	D. PUBLIC TRANSPORTATION:					
14	FROM:					
15	State Highway (Dedicated) Fund	\$235,800	\$54,800	\$2,800	\$404,800	\$698,200
16	State Highway (Federal) Fund	<u>456,600</u>	<u>190,700</u>	<u>      </u>	<u>8,898,000</u>	<u>9,545,300</u>
17	TOTAL	\$692,400	\$245,500	\$2,800	\$9,302,800	\$10,243,500
18	DIVISION TOTAL	\$15,517,500	\$9,782,200	\$3,515,600	\$10,558,700	\$39,374,000
19	II. PLANNING:					
20	FROM:					
21	State Highway (Dedicated) Fund	\$815,200	\$596,500	\$89,800	\$140,000	\$1,641,500
22	State Highway (Federal) Fund	<u>1,717,700</u>	<u>1,940,600</u>	<u>      </u>	<u>140,000</u>	<u>3,798,300</u>
23	TOTAL	\$2,532,900	\$2,537,100	\$89,800	\$280,000	\$5,439,800
24	III. MOTOR VEHICLES:					
25	FROM:					
26	State Highway (Dedicated) Fund	\$12,150,800	\$6,881,600	\$236,100		\$19,268,500
27	IV. HIGHWAY OPERATIONS:					
28	FROM:					
29	State Highway (Dedicated) Fund	\$71,726,200	\$49,628,700	\$19,030,600		\$140,385,500
30	State Highway (Billing) Fund		385,600			385,600
31	State Highway (Local) Fund	194,900	98,200			293,100
32	State Highway (Federal) Fund	<u>8,474,400</u>	<u>1,827,000</u>	<u>      </u>	<u>2,462,500</u>	<u>12,763,900</u>
33	TOTAL	\$80,395,500	\$51,939,500	\$19,030,600	\$2,462,500	\$153,828,100
34	V. CONTRACT CONSTRUCTION & RIGHT-OF-WAY ACQUISITION:					
35	FROM:					
36	State Highway (Dedicated) Fund		\$5,053,500	\$28,849,300	\$318,000	\$34,220,800
37	State Highway (Local) Fund		705,200	4,507,200	541,000	5,753,400
38	State Highway (Federal) Fund		<u>12,153,000</u>	<u>235,668,600</u>	<u>2,914,000</u>	<u>250,735,600</u>
39	TOTAL		\$17,911,700	\$269,025,100	\$3,773,000	\$290,709,800
40	GRAND TOTAL	\$110,596,700	\$89,052,100	\$291,897,200	\$17,074,200	\$508,620,200

1       SECTION 2. In accordance with Section 67-3519, Idaho Code, the Idaho Transportation  
2 Department is authorized no more than one thousand eight hundred thirty-three and five-tenths  
3 (1,833.5) full-time equivalent positions at any point during the period July 1, 2009, through  
4 June 30, 2010, for the programs specified in Section 1 of this act, unless specifically authorized  
5 by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of  
6 any increased positions so authorized.

7       SECTION 3. It is legislative intent that all moneys transferred to the Local Bridge In-  
8 spection Fund and to the Railroad Grade Crossing Protection Fund, as provided in Section  
9 63-2412, Idaho Code, are hereby continuously appropriated to the Idaho Transportation Depart-  
10 ment for the stated purposes of those funds.

11       SECTION 4. There is hereby reappropriated to the Idaho Transportation Department any  
12 unexpended and unencumbered balances of the State Highway Fund appropriated for the Con-  
13 tract Construction and Right-of-Way Acquisition Program for fiscal year 2009, to be used for  
14 Contract Construction and Right-of-Way Acquisition only for the period July 1, 2009, through  
15 June 30, 2010.

16       SECTION 5. There is hereby reappropriated to the Idaho Transportation Department any  
17 unexpended and unencumbered balances of the State Aeronautics Fund appropriated for trustee  
18 and benefit payments for fiscal year 2009, to be used for Airport Development Grants for the  
19 period July 1, 2009, through June 30, 2010.

20       SECTION 6. There is hereby appropriated and the State Controller is directed to transfer  
21 \$25,000 from the State Highway Fund to the Tourism and Promotion Fund in the Department  
22 of Commerce during fiscal year 2010. This transfer will provide the matching fund support of  
23 the Gateway Visitor Centers.

24       SECTION 7. There is hereby reappropriated to the Idaho Transportation Department any  
25 unexpended and unencumbered balances of funding from Title XII of the American Recovery  
26 and Reinvestment Act of 2009 (fund 0260-46) for fiscal year 2009, to be used in fiscal year  
27 2010, according to all the requirements of the federal act.

28       SECTION 8. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the  
29 extent possible, our capable, quality employees who support the essential services and statuto-  
30 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical  
31 essential services to be those that maintain the health and safety of our citizens and the ed-  
32 ucation of our children. While extending flexibility to the Governor and agency directors to  
33 manage the state workforce to the best of their ability during these difficult times, it remains the  
34 responsibility of the Legislature to identify priorities for the state workforce. The Legislature  
35 finds that reductions in personnel funding shall first be managed through salary reductions that  
36 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,  
37 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-  
38 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature  
39 that these policies shall be adhered to by the executive, legislative, and judicial branches to the  
40 extent allowed by law.

SECTION 9. SALARY REDUCTION. Inasmuch as salary reductions will save jobs; and inasmuch as a five percent (5%) reduction in personnel funding may create a reduction in force; and inasmuch as the state as a single employer of multiple departments and agencies is required by law to direct across the board salary adjustments; agencies and institutions shall reduce all salaries of classified and nonclassified employees, regardless of fund source, by three percent (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010. Agencies shall use personnel cost savings, furloughs, and a reduction in force to manage the remaining two percent (2%) in funding reductions. The Division of Human Resources shall adjust all pay schedules for the classified personnel system downward to the extent that all beginning minimum salaries are three percent (3%) less than those in effect upon the date of passage of this law.

SECTION 10. In addition to the appropriation made in Section 1, Chapter 360, Laws of 2008, there is hereby appropriated to the Idaho Transportation Department the following amount to be expended for the designated program according to the designated expense classes from the State Highway Title XII American Recovery and Reinvestment Act Fund for the period July 1, 2008, through June 30, 2009:

FOR:

I. PUBLIC TRANSPORTATION:

Operating Expenditures	\$1,310,600
Trustee and Benefit Payments	<u>7,431,900</u>
TOTAL	\$8,742,500

II. HIGHWAY OPERATIONS:

Personnel Costs	\$7,693,000
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III. CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION:

Capital Outlay	\$174,241,600
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GRAND TOTAL	\$190,677,100
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FROM:

State Highway Title XII ARRA Fund	\$190,677,100
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SECTION 11. An emergency existing therefor, which emergency is hereby declared to exist, Sections 9 and 10 of this act shall be in full force and effect on and after passage and approval.